



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Garver et al.

Serial No: 09/359,593

Filed: July 23, 1999

For: Controlled Release of Bioactive
Substances

Examiner: Q. Nguyen

Art Unit: 1632

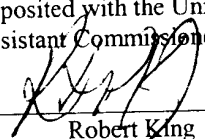
Attorney Docket No: JHV-009.01

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents Washington, D.C. 20231 on the date indicated below:

June 26, 2001

Date of Signature and of Mail Deposit


Robert King

Assistant Commissioner of Patents
Washington, D.C. 20231

RESPONSE AND AMENDMENT UNDER 37 CFR 1.111

Sir:

This amendment is being filed in response to the Office Action mailed on December 26, 2001 in the above-referenced application. A Petition for a Three Months Extension of Time is filed concurrently herewith. Please enter the following amendments:

In the claims:

Please replace pending claims 8, 17, 24, 29, 30, 32, 37, 41, 42 and 47 with claims 8, 17, 24, 26, 29, 30, 32, 37, 41, 42 and 47 set forth below. A copy of these claims with the changes marked thereon is attached at the end of this Response.

13' 8. (Amended) The composition of claim 7, wherein said crosslinking agent comprises a metal cation.

14' 17. (Amended) The composition of claim 15, wherein said microsphere, when administered to a patient, provides controlled release of said expression vector.